REMARKS

Status of the Claims

Claims 1-37, 51 and 52 are pending. Claims 1-37, 51 and 52 are rejected.

Rejection of Certain Claims Under 35 U.S.C. § 102

The Office Action states:

> **Rejection of Claims 1-5, 8-10, 12-14, 33, 36, 37, 51 and 52 rejected under 35 U.S.C. § 102(e) as Anticipated by Sheth, et al. (U.S. Patent No. 7,069,242)**

Office Action, page 2.

Applicant disagrees. The Office action cites several portions of Sheth to reject the independent claims. These portions, however, do not disclose the requirements of the independent claims 1, 51, and 51.

Sheth does not disclose "a personal base instance" as required by the independent claims. The portion of Sheth cited to show this limitation discusses that a "process is initiated by the buyer." Sheth, 7:27-28. Sheth does not disclose an "instance" as required by the independent claims. The "buyer" in Sheth "specifies 1002 the project details," "upload[s] relevant files," and "posts the project." Sheth, 28-34. These attributes are not the same as the "personal base instance" as required by these independent claims. Also, Sheth discusses a one-way communication. Sheth does not disclose "said personal base instance being constructed and arranged to communicate with a user" as required by claims 1, 51, 52. Sheth, in general, discusses a post by the buyer, but does not disclose a "personal base instance" or the "personal base instance being constructed and arranged to communicate with a user." Thus, Sheth does not disclose the requirements of these independent claims.

Next, Sheth does not disclose "a personal base server" as required by the independent claims. Sheth discusses a "web server 202 [that] provides the connection to the

network 108." Sheth, 2:66-67. Neither Figure 2 nor the cited portions disclose "a personal base server .... arranged to communicate with said personal base instance" as required by these independent claims. The "web server" of Sheth is not the same as the "personal base server" required by these independent claims.

With respect to claims 2, 3, 4, and 5 Sheth does not disclose "a database [or data storage] in functional communication with said personal base instance." Sheth does not disclose "a personal base instance." As claims 2, 3, 4, and 5 depend from claim 1, Sheth does not disclose the requirements of these claims for the same reasons stated above with respect to claim 1. Also, Sheth discusses a "database [that] includes memory storage of information received from the buyer terminal 104 and the seller terminal 106 and information generated by the application 204." Sheth, 4:4-7. However, claim 2, for instance, requires that the database be "in functional communication **with said personal base instance**" and that the database be "constructed and arranged **to store data originating from said personal base instance**." The storing of information disclosed in Sheth is not the same as the limitations of these claims. As a result, Sheth does not disclose all the requirements of claims 2, 3, 4, and 5.

As claims 8, 9, 10, and 12 depend from claim 1, for the reasons stated above with respect to claim 1 Sheth does not disclose all the requirements of claim 1 from which these claims depend.

With respect to claims 13 and 14, Sheth does not disclose "said node of said system in communication with said personal base server is another software process" or that "said personal base server is a third party institution" as required by these claims. Sheth discusses a seller and buyer with regards to the details and acceptance of a project. Sheth, 7:35-44. Sheth discusses "a web server 202, an application 204 and a database 206." Sheth 3:64-66.

Sheth does not disclose "a third party institution." Sheth does not discuss that either the buyer or seller is a third party institution. Likewise, Sheth does not discuss whether the buyer and seller are operating a personal base server as "another software process." Thus, the buyer and seller system discussed in Sheth does not disclose these requirements of claims 13 and 14.

As for claim 33, Sheth does not disclose "at least one special layer devoted to a specific function." The cited reference to Sheth discusses an auction website where the "seller may [] participate in an auction for a project by bidding 1010 on that project. The buyer chooses 1012 one or more winning sellers." Sheth, 7:38-40. Sheth does not disclose "said personal base" as stated above with respect to claim 1 from which claim 33 depends. Rather, Sheth discusses "a user-specific page 902 on the website 102." Sheth, 7:7. Neither the user-specific page nor the auction bidding constitute a "special layer devoted to a specific function." The user-specific page is not discussed by Sheth to be a "special layer" of a "personal base process." Thus, Sheth does not disclose the requirements of claim 33.

As claim 36 and 37 depend from claim 33 which depends from claim 1, Sheth does not disclose the requirements of claims 36 and 37 for the above stated reasons. Also, Sheth does not disclose "said special layer is devoted to scheduling information." Sheth discusses a buyer posting a project and a seller participating "in an auction for a project by bidding 1010 on that project." Sheth, 7: 35-39. Sheth does not disclose a post by the buyer or a bid by the seller as a "special layer [that] is devoted to scheduling information" as required by claim 33. Likewise, Sheth does not disclose a "special layer [that] is devoted to scheduling messages" as required by claim 37.

Rejection of Certain Claims Under 35 U.S.C. § 103

The Office Action states:

Claims 11, 15-26, 32 rejected under 35 U.S.C. 102(e) as being unpatentable over Sheth, et al. (U.S. Patent No. 7,069,242)

Office Action, page 5.

Applicant disagrees. As claim 11 depends from claim 1, Sheth does not disclose or make obvious the requirements of claim 11 for reasons stated above with respect to claim 1. With regards to obviousness, the Office action states that "that multiple servers can host a single personal base service as is the case when multiple servers are used to host a single website" would have obvious in view of Sheth. Office Action page 6, para. 16. It is known in the art to use multiple servers to host a single website. However, in the present Application the servers are not merely hosting a website, rather the servers are personal base servers. The present Application requires in claim 1 (from which claim 11 depends) that "said personal base server constructed and arranged to communicate with said personal base instance and at least one of said nodes of said computer system other than said user." The personal base server of this Application is not the same as a server to host a website. One of ordinary skill in the art would not find it obvious to use a "second personal server" to communicate with a first "personal base server" where the personal base servers are "constructed and arranged to communicate with said personal base instance." Communicating with a personal base instance is not the same as hosting a website. Thus, Sheth does not make obvious the requirements of claim 11.

As claims 15-26, 31 depend from claim and claim 32 depends from claim 1, Sheth does not disclose all the requirements of these claims for the reasons stated above for claim 1.

The Office Action states:

> **Claim 35 rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth et al (US Patent No 7,069,242) in view of Bukow (US Patent No. 6,,567,784).**

Office Action, page 6.

Applicant disagrees. As claim 35 depends from claim 33 which, in turn, depends from claim 1, Sheth does not disclose the all the requirements of claim 35 for the reasons stated above with respect to the independent claims. Further, Bukow does not disclose a "special layer [] devoted to employer information." Rather, Bukow discusses gathering information about a worker through use of surveys or HTML forms. Bukow, 4:21-26. Bukow discusses a system that "supports matching projects and workers." Bukow, 2:17. The gathering of employee information is not the same as a "special layer [] devoted to employer information." Bukow discusses "a web enabled system for matching projects and workers" rather than a "personal base process" as required by claim 1 and its dependent claims. Bukow, 1:9-10. One of ordinary skill in the art would not find obvious the "special layer [] devoted to employer information" required by claim 35 in view of the matching system discussed in Bukow.

The Office Action states:

> **Claims 6, 7, 27-30 and 34 rejected under 35 U.S.C. 103(a) as being unpatentable over Sheth, et al. (U.S. Patent No. 7,069,242) in view of Moshfeghi (U.S. Patent No. 6,076,166).**

Office Action, page 6.

Applicant disagrees. Sheth in view of Moshfeghi does not disclose each limitation of claim 6 and 34 for the reasons stated above with respect to claims 1 and 33 from which claims 6 and 34 depend, respectively. . Moshfeghi discusses an "intranet of a hospital ... including a personalized web server." Moshfeghi, 2: 8-10. Moshfeghi does not disclose a "personal base server [that] has a dedicated medical layer" as required by claim 6. It would not have been obvious to one of ordinary skill in the art in view of Moshfeghi for the personal base server of this Application to have a "dedicated medical layer." For these same reasons, it would not have been obvious to one of ordinary skill in the art in view of Moshfeghi for the "personal

base process to have a "special layer [that] is devoted to medical information" as required by claim 34.

As claim 7 depends from claim 6 which depends from claim 1, Sheth in view of Moshfeghi does not disclose or make obvious the requirements of claim 7 for the reasons stated above with respect to claims 1 and 6.

As claims 27-30 depend from claim 1, Sheth in view of Moshfeghi does not disclose or make obvious the requirements of claims 27-30 for the reasons stated above with respect to claim 1.

SUMMARY

Applicants contend that the claims are in condition for allowance, which action is requested. Applicants do not believe any fees are necessary with the submitting of this response. Should any fees be required, Applicants request that the fees be debited from deposit account number 02-0383.

Respectfully submitted,

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Date: April 16, 2007